

TESTIMONY OF COUNCILMAN PAUL SMEDBERG

State Air Pollution Control Board

Public Hearing – January 25, 2008

Good afternoon. My name is Paul Smedberg and I am a member of the Alexandria City Council. I thank you for the opportunity to submit comments on the proposed operating permit, and I thank the Board members for your attendance here today and your focus on the critically important public health and environmental issues facing the City.

I represent a broad constituency of Alexandrians, all of whom are deeply concerned about the operation of the plant and its effects on our lives and those of our children. It is remarkable, through the diligence of our city staff and efforts of community groups, how much has been uncovered about the operation of the plant and the harmful effects on human health due to emissions from the plant. And this is in no thanks to Mirant which has maintained a policy of secrecy and obfuscation throughout this process. Despite Mirant's public relations campaigns to prove itself a good neighbor, it still adamantly refuses to engage in the most neighborly of activities--install appropriate, up-to-date pollution control technology.

As you know, the City has devoted significant staff time and resources, and has engaged independent consultants in different

technical disciplines, to analyze the emissions impacts of the Mirant plant. Throughout the many years that we have been engaged in this process, we adhered strictly to presenting the factual and scientific results of this analysis to justify our position before the Board. The City's analysis of the proposed two-stack permit is no different in approach or result. Put simply, the facts and the science demonstrate that this permit does not adequately protect the public health.

We are all here this afternoon to address the operation of the plant under the proposed two-stack operating permit and to examine how such operation will impact our community for the next generation and beyond. It is distressing that this draft permit reflects DEQ's myopic focus on the operational and economic needs of Mirant, rather than on the degree of the harm caused by the plant; the scope of its harmful impacts, and the readily available technology for reducing emissions and mitigating the harm. Frankly, if Mirant would -- as we believe the law requires -- significantly upgrade the pollution control technology at the plant by installing baghouses and mitigating the present impacts of its operation, the perspective of the City and our residents would be dramatically altered.

I fully support the comments and recommendations of the Alexandria City staff and our consultants on the deficiencies of this proposed two-stack operating permit. The comments are well-

considered, based on extensive expert analyses and identify serious deficiencies with the proposed operating permit. The deficiencies include, but are not limited to, inadequate analysis and determination of baseline emission levels under New Source Review; an unwarranted increase in the short term SO₂ emission limit above the current operating permit limit; lack of adequate pollution control technology requirements; inadequate emissions monitoring requirements, and the complete absence of PM_{2.5} emission limits.

Protection of public health is the prime objective of all air quality programs, regardless of the entities involved. Accordingly, consistent with the Clean Air Act, our priority here should be to install up-to-date pollution control technology and ensure that the plant's operations do not violate current scientific knowledge and thinking on the effects of short- and long-term exposure to coal plant emissions. Specifically, I refer here to emissions of PM_{2.5} -- those invisible particles in the air that even penetrate indoors and cause serious pulmonary and cardio-vascular illnesses and are particularly acute to our more vulnerable residents. This permit fails because it does not regulate PM_{2.5}, the most serious health threat posed by the plant at this time.

Given the decades-long history of this plant's NAAQS violations, we cannot accept a permit that does not comprehensively protect our residents from the harmful effects of all pollutants from the plant – now,

at the present time, today. In its response to Mirant's request to lift the prohibition on pollutant trading in a non-attainment area, DEQ defended the Air Board's decision to ban such trading as reasonable and prudent, because, as DEQ put it, the Board wanted to ensure that all measures are being taken so that the citizens of Virginia breathe healthy air, particularly because Mirant does not have state-of-the-art controls. Unfortunately, with this proposed permit, we cannot say that all measures are being taken so that the citizens of Virginia can breathe healthy air. Other states have acted to implement PM_{2.5} limitations without delay. Virginia can and should, too. Now, today, we call upon this Board, in whatever permit it approves, to act responsibly, and set strict permit limits for all pollutants emitted by this plant, including PM_{2.5}.

I strongly believe that Alexandria, and the most affected members of the public in the region surrounding the plant, should be charged with reviewing and analyzing activities related to the plant. For this reason, I reiterate Alexandria's request that the Board immediately establish a local air pollution control district and local committee. Formalized local input is vital in ensuring full accountability for and compliance with the provisions of any operating permit eventually issued for the plant.

Thank you for your interest and your thoughtful consideration of the City's concerns throughout this entire process.